

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

J.L., *mother and natural guardian of A.L.*, and J.L.,  
*individually,*

Plaintiffs,

-against-

CITY OF NEW YORK and NEW YORK CITY  
DEPARTMENT OF EDUCATION,

Defendants.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 8/22/2024

1:23-cv-09059-MKV

**ORDER**

MARY KAY VYSKOCIL, United States District Judge:

The Court scheduled an Initial Pretrial Conference in this matter for August 27, 2024 at 2:30 PM. [ECF No. 25]. The Court directed the parties to submit, one week before the conference, no later than August 20, 2024, a Proposed Case Management Plan and joint letter, as required by this Court's Individual Rules of Practice in Civil Cases. [ECF No. 25]. To date the parties have not submitted a Proposed Case Management Plan and joint letter.

Accordingly, IT IS HEREBY ORDERED that the Initial Pretrial Conference scheduled for August 27, 2024 at 2:30 PM is ADJOURNED to October 8, 2024 at 10:30 AM in person in Courtroom 18C of the Daniel Patrick Moynihan Courthouse, 500 Pearl Street, New York, NY 10007.

IT IS FURTHER ORDERED that the parties shall commence discovery, if not already commenced, including the exchange of initial disclosures, as set forth in Federal Rule of Civil Procedure 26.

IT IS FURTHER ORDERED that in advance of the Initial Pretrial Conference, and within 14 days of this Order, the parties shall confer to discuss the possibility of settlement for at least one hour.

IT IS FURTHER ORDERED that on or before October 1, 2024 (one week before the conference) the parties shall file on ECF a Joint Letter and Proposed Case Management Plan, as described in the Court's Individual Rules of Practice in Civil Cases. The joint letter may not exceed 6 pages and must include the following:

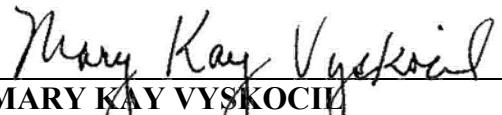
1. An explanation of the parties' failure to comply with the Court's Order scheduling the original Initial Pretrial Conference on August 27, 2024;
2. A brief statement of the nature of the case, the principal claims and defenses, and the major legal and factual issues that are most important to resolving the case;
3. A brief statement by the plaintiff, or by the defendants in removed cases, as to the basis of subject matter jurisdiction and venue, and a brief statement by each other party as to the presence or absence of subject matter jurisdiction and venue. Statements shall include citations to relevant statutes. In cases invoking the Court's diversity jurisdiction, the parties should state both the place of incorporation and the principal place of business of any party that is a corporation, and the citizenship of all members, shareholders, partners, and/or trustees of any party that is a partnership, limited partnership, limited liability company, or trust;
4. A statement of procedural posture, including
  - a. A brief description of any (i) motions that have been made and decided, (ii) motions that any party seeks or intends to file, including the principal legal and other grounds in support of and opposition to the motion, (iii) pending motions and (iv) other applications that are expected to be made at the conference;
  - b. A brief description of any discovery that has already taken place, and a brief description of any discovery that the parties intend to take in the future; and

- c. A statement describing the status of any settlement discussions and whether the parties would like a settlement conference; and
- 5. Any other information the parties believe may assist the Court in resolving the action.

Failure to comply with the Court's Orders and/or deadlines, Individual Rules of Practice, or Local Rules may result in sanctions, including monetary penalties, preclusion at trial of information not provided, or preclusion and/or dismissal of claims or defenses. The Court will not adjourn this Conference again due to the parties' failure to comply with the Court's Orders.

**SO ORDERED.**

**Date: August 22, 2024**  
**New York, NY**

  
**MARY KAY VYSKOCIL**  
**United States District Judge**